

Opening Statement of Chairman Fred Upton
Energy and Commerce Committee Markup of H.R. 2250, the “EPA Regulatory Relief Act of 2011,” H.R. 2681, the “Cement Sector Regulatory Relief Act of 2011,” and H.R. 2937, the “Pipeline Infrastructure and Community Protection Act of 2011”

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This committee has been very busy, and given the state of the economy, we ought to be busy. Today we mark up three important bills: H.R. 2250 (the boiler bill), H.R. 2681 (the cement bill), and H.R. 2937 (the pipeline safety bill). Each in their own way can contribute to job growth and help spark an economic turnaround.

Unemployment remains above 9 percent, and in Michigan it's near 11 percent. Since the President Obama took office, we have learned the hard way what we should have already known – that runaway spending and regulation is no way to jump-start the economy. The good news is that there is bipartisan interest in fresh approaches to job creation. And that is why the three bills before us today enjoy bipartisan support.

EPA's unprecedented rollout of regulations applicable to over 200,000 boilers threaten to impose substantial costs, and in reality, would be technologically impossible for many boiler-owning entities. These regulations add to the train wreck of major rules weighing down domestic manufacturers. They would also apply to many other facilities that create jobs and provide important services, such as universities and hospitals.

Even EPA recognized that its boiler rules are problematic, and the agency is currently reconsidering them. But this reconsideration process has left the regulated community in a state of limbo, with a great deal of uncertainty. H.R. 2250 provides the certainty and common-sense they need, requiring EPA to move forward with new boiler emissions standards under the Clean Air Act with targets and timetables that are realistic and achievable.

The story is much the same for the cement bill. It is ironic to hear the President champion infrastructure projects as a means to create jobs at the same time that his regulators have launched a regulatory crackdown on the domestic producers of the cement that is vital to roads and bridges and other building projects. The cement rules would destroy jobs among American cement companies and reduce domestic cement production in favor of imports from countries with far fewer environmental protections. This would raise the cost of cement, thus hurting the construction sector.

As with the boiler bill, EPA has recognized that the cement rules have serious flaws and is in the process of reconsidering them. However, the prospects for relief are uncertain and the chilling effect on new investment and hiring in the cement industry continues. H.R. 2681 is what's really needed to ensure this important segment of the economy and contributor to the recovery is sensibly regulated.

The third bill is equally important to the economy, and like the other two, it is about smart regulations that protect our communities with achievable safeguards. America's demand for energy continues to go up, and with it the need to transport it safely and efficiently. Doing so is going to be crucial to the future health of the American economy.

That is why past pipeline safety reauthorization bills had strong bipartisan input and support. And on that front I would like to express my gratitude to my friend and colleague John Dingell for continuing in that bipartisan tradition with H.R. 2937. I believe that we have come up with a practical path forward for improved pipeline safety.

This bill hits close to home for us and for other members who have seen pipeline safety failures in their communities. We can hold those responsible accountable in case a spill ever occurs, but more important than that, we are taking steps to prevent pipelines from being compromised so spills do not occur.

For decades, the federal government has imposed reasonable regulations that strike the right balance of protecting health, safety, and the environment while avoiding unnecessary damage to the economy. These three bills put us back on that track and I welcome all members' support for them.